

REMARKS

In the Office Action mailed April 1, 2009, the Office noted that claims 18-43 were pending and rejected claims 18-43. Claims 18, 26-31, 33, 35, 37 and 39-42 have been amended, no claims have been canceled, and, thus, in view of the foregoing claims 18-43 remain pending for reconsideration which is requested. No new matter has been added. The Office's rejections and objections are traversed below.

DOUBLE PATENTING

Claims 18-43 are provisionally rejected on grounds of nonstatutory obviousness-type double patenting as being unpatentable over co-pending Application No. 10/530,033 in view of Saeki et al., U.S. Patent No. 6,067,400.

The Applicants respectfully disagree and traverse the rejection with an argument.

Saeki (US 6,067,400B) does not disclose the novel feature of amended claims 18 to 43 such that "the area into which the object data file is stored is different from the area into which the play list information file is stored". Namely, Saeki does not disclose the novel feature of claims 18 to 43 such that "the area into which the video / sub-picture is stored is different from the area into which the sequence for reproducing the video I sub-picture is stored."

In particular, in Saeki (especially, Figs. 6 and 16),

both of the VOB (Video Object), which includes video, audio and sub-picture, and the PGC (Program Chain) information, which defines the reproduction sequence of the video, audio and the sub-picture, are stored in the Video Title Set.

Thus, one of ordinary skill in the art at the time the invention was made could not anticipate the novel feature of claims 18 to 43 such that "the area into which the video / sub-picture is stored is different from the area into which the sequence for reproducing the video / sub-picture is stored."

Withdrawal of the provisional rejection is respectfully requested.

REJECTIONS under 35 U.S.C. § 102

Claims 18-43 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Saeki et al., U.S. Patent No. 6,067,400. The Applicants respectfully disagree and traverse the rejection with an argument and amendment.

Saeki et al. discuss an optical disc comprising a data area for storing at least one object that has sub-picture data and moving picture data, wherein the data area includes a plurality of small areas, each of which includes a first sub-area and a second sub-area, with the object in the data area being stored over consecutive small areas.

Claim 18 has been amended to recite "an object data file for collectively storing object data which includes a first

stream having video information to indicate a main-video and a second stream having sub-video information, sub-video control information, wherein; the sub-video information indicating a sub-video displayable at least partially over the main-video the sub-video control information including (i) a control information element for display control of the sub-video information in a method set in advance and (ii) information to indicate presence or absence, or effectiveness or ineffectiveness of the control information element; a play list information file for collectively storing, in an area which is different from an area into which the object data file is stored a play list information which defines a plurality of item information each indicating a start time and an end time of the first and the second streams by a unit of item; and an object information file for collectively storing object information which includes information for indicating a storing position of the first and second streams corresponding to each item." (Emphasis added)

Support for the amendments, such as for an "object data file", may be found, for example, in Fig 3. and page 11 line 6 to page 12 line 5, page 31 line 3 to page 32 line 16, page 34 line 14 to page 35 line 1 and page 40 lines 12 to 14 of the Specification.

Support for the amendments, such as for a "play list information file", may be found, for example, in Figs. 3, 6 and 7 as well as page 34 line 14 to page 85 line 1 and page 38 line 12

to page 39 line 13 of the Specification.

Support for the amendments, such as for an "object information file", may be found, for example, in Fig 3. and page 34 line 14 to page 35 line 1 and page 40 lines 3 to 11 of the Specification.

The Applicants submit that no new matter is believed to have been added by the amendment to the claims.

The Applicants respectfully submit that the features of the amended claims, as argued above, are not taught by Saeki.

Claims 26-31, 33, 35, 37 and 39-42 have likewise been amended. For at least the reasons discussed above, claims 18, 27, 29, 31, 33, 35, 37 and 39-42 and the claims dependent therefrom are not anticipated by Saeki.

Withdrawal of the rejection is respectfully requested.

Information Disclosure Statement

As requested by the Examiner on page 3 of the April 1, 2009, official action, Applicants submit herewith clean copies of the foreign patents cited in the April 1, 2005, IDS and Applicants respectfully request that these now be considered.

SUMMARY

It is submitted that the claims satisfy the requirements of 35 U.S.C. § 102. It is also submitted that claims 18-43 continue to be allowable. It is further submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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APPENDIX:

The Appendix includes the following item(s):

A PDF copy of three (3) foreign references previously filed in an IDS on April 1, 2005.